

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN

In Re:

MATTHEW WHITMORE  
STEPHANIE WHITMORE  
Debtor(s)

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Case No. 17-45043-PJS  
Chapter 13  
Hon. SHEFFERLY

SUPPLEMENATAL OBJECTIONS TO CONFIRMATION

NOW COMES Creditor, OAKLAND COUNTY CREDIT UNION, by and through its attorneys, BUTLER, BUTLER & ROWSE-OBERLE, P.L.L.C., and objects to the confirmation of the Debtors' proposed Chapter 13 Plan as follows:

1. Debtors filed for relief pursuant to Chapter 13 of the Bankruptcy Code on April 4, 2017.
2. Debtors' Plan proposes to run for a period of 60 months.
3. Creditor is the holder of a perfected security interest in a 2012 JAYCO TRAVELTRAILER VIN# 1UJBJ0BS6C1DJ0269.
4. The balance owing Creditor as of the date of the bankruptcy petition was \$29,310.46.
5. Per the loan contract, the monthly payments will begin on May 22, 2016 and run for a period of 180 months.
6. Creditor's secured claim is treated as a Class 5.2 secured claim on which the last payment will become due within the Plan duration.
7. Creditor objects as the last contractual payment is due beyond the length of the Plan, and as such Creditor should be treated as a Class 4.1 claim.
8. The Debtors' Plan provides for Creditor's claim as neither crammed, modified nor surrendered.
9. The Debtors' Plan cannot be confirmed as proposed as it is ambiguous.
10. Creditor financed the Debtors' purchase of the collateral within 1 year of the filing of the bankruptcy petition.
11. Creditor's claim may not be bifurcated and must be paid in full pursuant to 11 U.S.C. §1325(a).

12. Creditor objects to the Debtors' Plan as the Plan does not provide for equal monthly payments to Creditor on its secured claim in contravention of 1325 (a)(5)(B)(iii)(I).

13. Creditor objects to the Debtors' Chapter 13 Plan as it provides only 4% interest on Creditor's secured claim in contravention of §1325(a)(5), §506(b) and In re Till 541 U.S. 465(2004).

14. Creditor objects to the Debtors' proposed Plan as Creditor is not adequately protected.

15. Creditor requests documentation of full coverage insurance covering Creditor's collateral.

WHEREFORE, Creditor prays that this Honorable Court will deny confirmation as proposed.

BUTLER, BUTLER & ROWSE-OBERLE, P.L.L.C.

/s/ KAREN L. ROWSE-OBERLE (P41893)  
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July 17, 2017

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 17, 2017, I electronically filed the Supplemental Objection to Confirmation of Plan with Clerk of the Court using the ECF system which will send notification of such filing to the following:

**-Michael Boucher, Attorney for Debtor(s)**  
**-Krispen Carroll, Chapter 13 Trustee**

BUTLER, BUTLER & ROWSE-OBERLE, PLLC

/s/ Bridgette Dockery

Legal Assistant

Butler, Butler & Rowse-Oberle, P.L.L.C.

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